

# *smoking policy*



## **§1300.24. Smoking regulated in the office workplace**

A. Each employer who operates an office in the state shall, by November 15, 1993, adopt, implement, and maintain a written smoking policy which shall provide, at a minimum, the following:

(1) Any nonsmoking employee may object to his employer about smoke in his office workplace. Using already available means of ventilation or separation or partition of office space, the employer shall attempt to reach a reasonable accommodation insofar as possible between the preferences of nonsmoking and smoking employees. However, an employer shall not be required by the provisions of this Part to make any expenditures or structural changes to accommodate the preferences of nonsmoking or smoking employees.

(2) Where the employer prohibits smoking in an office workplace, the area in which smoking is prohibited shall be clearly marked with signs.

B. The smoking policy shall be announced and posted within three months of adoption to all employees working in office workplaces of the employer, and a written copy of the policy shall be posted conspicuously in all office workplaces under the employer's jurisdiction.

C.(1) However, the state official, local official, or employee in control of a state, parish, or municipal building where smoking in the office workplace is restricted or in charge of an area office workplace used by state, parish, or municipal government within a facility which restricts smoking in the office workplace shall, if allowable under the relevant lease provisions and fire or other safety regulations, designate a smoking area in a separate room where smoking is permitted by employees while adhering to the intent of the provisions of this Part, provided such room shall be provided in existing facilities.

(2) Educational and health care facilities shall not be required to designate smoking areas.

(3) The provisions of this Section shall not include areas within facilities, or entire facilities, where applicable, which serve as courtrooms, or other areas used by the judicial branch of state government. Acts 1992, No. 1106, §1; Acts 1993, No. 571, §1.

This notice must be posted in a conspicuous place, setting forth information to effectuate this purpose.  
R.S. 40:1300.24. Revised 7-04



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